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PLAINTIFF'S EXHIBIT
DX-499

The World Trade Center - North and South Tower Buildings - Spray Fireproofing - Contract WTC-113.00

The Committee on Construction recalled to the Board that the Board, at its meeting on January 12, 1967 (appearing at pages 10 and 11 of the Official Minutes of that date), authorized the award of Contract WTC-400.00 for the furnishing and erecti of a curtain wall structure for the North and South Tower Buildings of The World Trad Center to The Aluminum Company of America. Under this contract, Alcoa will provide spray-on fireproofing and plastering for the North and South Tower Buildings, exteri columns, to which the curtain wall is to be attached. The spray-on fireproofing and plastering was subcontracted by Alcoa to Mario and DiBono Plastering Company, Inc. In view of the facts that fireproofing is to be applied to the interior steel work as well as the exterior columns to be fireproofed under the Alcoa contract, that firepro on each floor must be completed before any other work on that floor can proceed, and that the interior and exterior fireproofing applications should be closely coordinate staff determined that contract administration problems would be minimized and the greatest possible coordination between interior and exterior fireproofing would be achieved if the entire fireproofing application work were performed by a single contractor. Accordingly, negotiations were conducted with Mario and DiBono Plasterin Co., Inc. on Contract WTC-113.00 for the performance of interior fireproofing work, North and South Tower Buildings, The World Trade Center.

The negotiations resulted in submission of a proposal of $1,725,000, consis of $800,000 for the sale of materials and $925,000 for the work. The contract contai authorization to the Director of the World Trade Department to order extra work and extra materials up to the amount of $80,000 without further Board or Committee approv The proposal of Mario and DiBono Plastering Co., Inc., was placed before the meeting.

Upon the basis of a careful examination of the proposal on said contract an of the qualifications and experience of the bidder, the Committee on Construction

recommended that Contract WTC-113.00 - Spray Fireproofing, North and South Tower Buildings, The World Trade Center - be awarded to Mario and DiBono Plastering Co., Inc., which was recommended as qualified by the Director of the World Trade Department

Whereupon the following resolution was moved for adoption by Commissioner Halpern, the motion being seconded by Commissioner Stillman:

WHEREAS, negotiations were initiated by The Port of New York Authority with Mario and DiBono Plastering Company, Inc., on Contract WTC-113.00 for the provision of interior fireproofing work, North and South Tower Buildings, The World Trade Center; and

WHEREAS, Mario and DiBono Plastering Company, Inc. has submitted a proposal for the performance of said contract in the total amount of $1,725,000, consisting of $800,000 for the sale of materials and $925,000 for the work, and The Port of New York Authority is satisfied that said bidder is qualified by reason of financial responsibility, experience and capacity to perform the contract if it be awarded to it and that the public interest will be best served by accepting the proposal of said bidder;

NOW, THEREFORE, after due deliberation had, it is

RESOLVED, that the Executive Director be and he hereby is authorized to accept said proposal in the manner provided therein, provided that until the Executive Director shall give formal notice to that effect to the bidder, as provided in the Information for Bidders, this resolution shall not be construed as an acceptance of said proposal; and it is further

RESOLVED, that upon acceptance of said proposal, The Port of New York Authority staff members designated by title in said contract to exercise certain powers and duties be and they hereby are authorized to exercise said powers and duties and to do all things required or permitted by said contract to be done by them; and it is further

RESOLVED, that the Secretary be and he hereby is directed to file in and as part of his official records the proposal on said contract now before the meeting and the duplicate original of the acceptance thereof; and it is further

RESOLVED, that the form of said contract be subject to the approval of General Counsel as to form.

With the following result:

AYES: Kellogg, Cullman, Clancy, Colt, Stillman, Halpern, Sternkopf

NOES: None

Carried.